

Express Mail No. EV620756268US

PATENTS

Attorney Docket No. 000787-0007-101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Chad John Kugler et al.
Application No. : 10/802,992 Confirmation No.: 4394
Filed : March 16, 2004
For : STOMACH REDUCTION METHODS AND
APPARATUS
Group Art Unit : 3731
Examiner : Not yet assigned

Mail Stop Amendment January 16, 2007
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

Responsive to the Notice of Non-Compliant
Amendment mailed November 2, 2006, applicants hereby (1)
request a two-month extension of time to respond to that
Notice, and (2) supply the corrected section of the non-
compliant amendment.

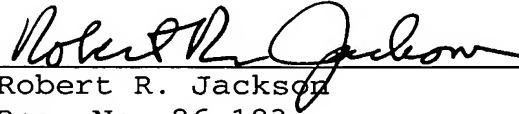
The "corrected section" referred to above is
the accompanying Corrected Submission of Formal Drawings
and seven (7) sheets of formal drawings that are now
properly identified in the top margin as "Replacement
Sheet."

3323616_1



Entry of this Response and the accompanying
formal drawings is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert R. Jackson", is written over a horizontal line.

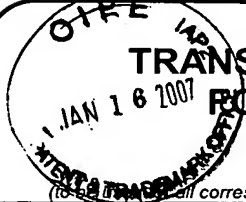
Robert R. Jackson
Reg. No. 26,183
Attorney for Applicants
FISH & NEAVE IP GROUP
ROPES & GRAY LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000
Fax: (212) 596-9090

01-19-07

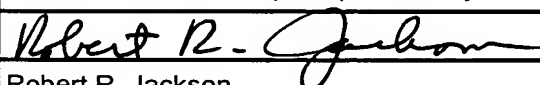
PTO/SB/21 (09-06)

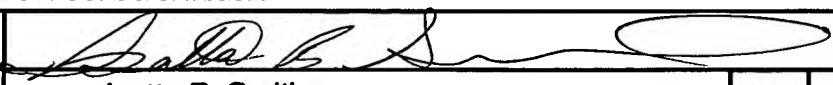
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	Application Number	10/802,992
	Filing Date	March 16, 2004
	First Named Inventor	Chad John Kugler et al.
	Art Unit	3731
	Examiner Name	Not yet assigned
Total Number of Pages in This Submission	Attorney Docket Number	000787-0007-101

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Corrected Submission of Formal Drawings w/7 replacement sheet; Return Receipt Postcard
Remarks The Director is hereby authorized to charge payment of any fees or credit any overpayments required in connection with this Reply to Office Action to Deposit Account No. 06-1075, Order No. 000787-0007. A duplicate copy of this Transmittal is enclosed herewith.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Fish & Neave IP Group, Ropes & Gray LLP		
Signature			
Printed name	Robert R. Jackson		
Date	January 16, 2007	Reg. No.	26,183

CERTIFICATE OF TRANSMISSION/MAILING via Express Mail: EV620756368US			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Isatta B. Smith	Date	1/16/07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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P.O. Box 1450
Alexandria, Virginia 22313-1450

CORRECTED SUBMISSION OF FORMAL DRAWINGS

Sir:

Please substitute the enclosed seven (7) sheets of formal drawings (labeled "Replacement Sheet[s]") for the informal drawings originally filed with this application.

Respectfully submitted,

Robert R. Jackson
Reg. No. 26,183
Agent for Applicants
FISH & NEAVE IP GROUP
ROPES & GRAY LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000
Fax: (212) 596-9090